

FMLA Extended To Same-Sex Couples In 13 States

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Labor Secretary Thomas E. Perez has quickly responded to the Supreme Court's decision in *Windsor*. In an e-mail, Perez announced that the Department of Labor has already updated several guidance documents to remove DOMA and its definition of spouse from the FMLA.

The net effect of the move is that spousal leave and job restoration protections are now available to the spouses of legally married same-sex couples in states that permit same-sex marriage. The FMLA defines "spouse" as a husband or wife recognized under the law of the state in which the employee resides.

In his e-mail, Perez directed DOL leadership to "look for every opportunity to ensure that we are implementing this decision in a way that provides the maximum protection for workers and their families."

Additional Resources:

The Wall Street Journal - "[U.S. Extends Family Leave to Same-Sex Spouses](#)"

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